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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/577,397

04/27/2006

Boris Emmanuel De Ruyter

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

VU, THANH T

ART UNIT

PAPER NUMBER

2175

MAIL DATE

DELIVERY MODE

03/12/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/577,397	Applicant(s) DE RUYTER ET AL.	
	Examiner THANH T. VU	Art Unit 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/27/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20, and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sciammarella et al. ("Sciammarella", US 2002/0033848).

Per claim 1, Sciammarella teaches a system for presenting one or more content items to a user, comprising: a spiral image and one or more icons arranged on said spiral image, each icon corresponding to one of said one or more content items, wherein a position of said icon on said spiral image indicates a relative position of said one or more content items in relation to other content items (figs. 16 and 17; [0065]; [0081]).

Per claim 2, Sciammarella teaches the system of claim 1, wherein a color of at least a portion of said icon associates said content item with one or more users or other content items ([0068]; *each displayed icon has a color and the icon representing a content is associated with a user*).

Per claim 3, Sciammarella teaches the system of claim 1, wherein said spiral image is segmented into segments, wherein each segment represents a range of values of said relative position (fig. 1; interface 28; [0053]).

Per claim 4, Sciammarella teaches the system of claim 1, wherein said relative position is based on a creation time of said content item (fig. 1; interface 28; [0053]).

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Per claim 5, Sciammarella teaches the system of claim 1, wherein said relative position is based on a reception time of said content item (fig. 1; interface 28; [0053]).

Per claim 6, Sciammarella teaches the system of claim 1, wherein said relative position is based on a modification time of said content item ([0133]; [0135]; which shows variation time of displayed icon).

Per claim 7, Sciammarella teaches the system of claim 1, wherein said content item is a message ([0047]; [0118]).

Per claim 8, Sciammarella teaches the system of claim 1, wherein said content item is a document ([0047]).

Per claim 9, Sciammarella the system of claim 1, wherein a size of a plurality of said icons is proportional to said relative position ([0027]; [0118]; [0120]).

Per claim 10, Sciammarella teaches the system of claim 1, wherein a first plurality of said icons is presented with a detailed view while at least a second plurality of said icons is presented with a compressed view (figs 1 and 17).

Per claim 11, Sciammarella teaches the system of claim 1, further comprising an indication of a reachability of at least one user associated with a given content item (figs. 1 and 17).

Claims 12-18 are rejected under the same rationale as claims 1-4 and 9-11 respectively.

Claim 19 is rejected under the same rationale as claim 1. Sciammarella further teaches one more tool to manipulate said one or more icons ([0050]; [0052]; [0053]).

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Per claim 20, Sciammarella teaches the user interface of claim 19, wherein said one or more tools includes a tool to access a content item associated with an icon ([0050]; [0052]; [0053]).

Per claim 22, Sciammarella teaches the user interface of claim 19, wherein said one or more tools includes a tool to navigate said spiral image ([0050]; [0052]; [0053]).

Per claim 23, Sciammarella the user interface of claim 19, further comprising a visual indication to associate one or more users with an icon ([0118]; [0131]; it is noted that an image of a user can be displayed as thumbnail).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella in view of Official Notice.

Per claim 21, Sciammarella teaches the user interface of claim 19 having thumbnails represent audio files that are visually displayed with artist's name (i.e a user), but does not specifically teach a tool to contact a user associated with an icon. However, Official Notice is taken that it is well-known in the art to include a tool for users to communicate with other users (e.g. email or chat) using network interface 17 in fig. 5 of Sciammarella. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a

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communication tool in the invention of Sciammarell in order to allow the users to communicate with other users.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Freeman et al. (US 6,638,313) discloses documents stream operating system.

Gargi (US 2002/0140746) discloses image browsing using cursor positioning.

Lucas et al. (US 5,905,992) discloses document display system for organizing and displaying documents as screen objects organized along strand paths.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH T. VU whose telephone number is (571)272-4073. The examiner can normally be reached on Mon- Fri 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh T. Vu/

Primary Examiner, Art Unit 2175